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[722] THE
m ISSUES IN THE MIRROR

*Being an Analysis of the Fundamentals of
Government and the Limitations of Democracy*

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BY

LEIGH H. IRVINE

Author of "An Affair in the South Seas," "Irvine's
Cyclopedia of Dietion," and many other works

THE BAKER & TAYLOR CO.

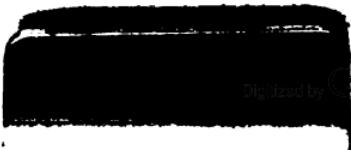
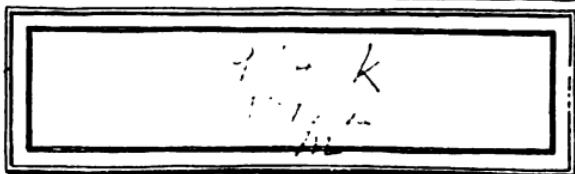
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THE MASSES IN THE MIRROR

*Being an Analysis of the Fundamentals of
Government and the Limitations of Democracy*

UNIV. OF
CALIFORNIA

BY

LEIGH H. IRVINE

**Author of "An Affair in the South Seas," "Irvine's
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TO MUD
AMERICAN

1. *Thlaspi* *arvense* L.

WHAT IS THE IDEA?

The Masses in the Mirror is not controversial, not theoretical, not speculative. Its aim is to present facts of vital importance, without bias or dogmatism.

It is written and published in popular form to teach the fundamental principles of Americanism, and to make plain the following facts:

I. That the Revolutionary Fathers established a government which has always been known as the Great Republic, the world's largest object-lesson in self-government under the republican form—and that a republic is not a democracy, though democracy is one of its elements.

II. That this Republic was founded on the immortal Declaration of Independence and the Constitution of the United States, article IV, section 4 of which guarantees to every state in this Union a republican form of government.

III. That a republican form of government is one of delegated and limited authority, in which the legislative, the executive, and the judicial de-

partments are segregated and their work is co-ordinated so that there is neither mystery nor doubt regarding the functions of each.

IV. That the qualified electors in National elections, as the Constitution is now amended, vote on three questions only—for Presidential electors, for members of the House of Representatives, and for United States senators.

V. That neither the will of the majority nor that of their representatives may be exercised absolutely and without limitation, as in the case of a despot exercising absolute powers; for while the voice of the people is sovereign in some matters, and that of their delegated agents or representatives in other matters, this voice or will must be exercised within the restrained or “reined in” limitations of the organic law, as interpreted by the Supreme Court of the United States.

VI. That there is no absolute and unrestrained sovereignty in the United States, except the sovereignty of just judgments under equal laws. The decisions of the Supreme Court are the final authority, unless the people appeal to the arbitrament of the sword. The Supreme Court, created to render impartial interpretations of the law, has often and properly declared the acts of legislatures and voters null and void, even restraining the government itself, because restraints were necessary to preserve the inalien-

able rights of man to life, liberty, and the pursuit of happiness.

VII. That so-called "pure and unadulterated democracy" has always been a failure except in primitive communities or in village life.

VIII. That there is not a purely democratic government among civilized races anywhere on the globe. Even the soviets of Russia and the most democratic labor organizations, Socialist parties, and devotees of Anarchism have abandoned democracy because of its inherent unwieldiness and other weaknesses. They have had to establish oligarchic circles of qualified leaders to carry on their work. The soviets have even adopted the plan of American trusts—the delegation of full authority to expert managers, who are held responsible for results.

IX. That the complex problems arising in civilized governments can not be solved by popular vote, as when the Hezekiahs and Elijahs of Big Tree Center and Pumpkinville vote (*viva voce*) to build a village watering trough, all being assembled under the old elm tree when the vote is acclaimed.

X. That the unlimited will of the majority is not a safe or practicable source from which to obtain just decisions, and that any doctrine that the minority has no rights which the majority is obliged to respect is un-American, mythical, and

untrue. There is not any law in ethics or in the Statutes of the United States which gives to the majority any power inconsistent with the tenets of reason.

XI. That the *hoi polloi* (herd), mob, mass, multitude, or whatever the “people” may be termed, have always been as cruel, narrow, tyrannical, and even wicked as the most brutal monarchs of history. The rabble crucified Christ, poisoned Socrates, ~~burned~~^{burnt} Galileo, and has always persecuted the thinkers and pioneers in every useful field of human endeavor. In Canada and the United States recently the followers of Prohibition denounced and criticized (and may yet boycott) newspapers which had accepted paid advertisements from brewers who bought space for the purpose of presenting their arguments in favor of light wines and beers. Wholly aside from the validity of Prohibition, which is not now under discussion, this attempt to suppress free speech and fair play is only an example of the inevitable overbearance of the domineering majority, regardless of the soundness or even morality of the cause—for it has been the same in the tragical history of religious persecutions. There is no tyranny equal to that of the “holier than thou” bigot who is ready to fine and imprison those who dissent from his views.

XII. That “the madness of the mob” has been

a famous phrase from deep antiquity until the time (1917-1919) when the crimes of the stampeded multitudes of Russia shocked the world.

XIII. That the mob has never written a Declaration of Independence, invented a telescope, discovered a star, built a power-loom, invented a telephone, a railway, a steamship, or even a Maxim gun. The sovereignty of the mobs of the French Revolution was more cruel than that of the despot whose power they seized.

XIV. That in the United States, for the first time in all human history, great libertarians, led by Thomas Jefferson, established a safe bulwark against mobs and monarchs alike, and that the "Back to the Republic!" cry of Atwood is our refuge and our hope to-day.

XV. That there has been no time in the history of the United States when there was greater need to heed the ancient maxim, "Eternal vigilance is the price of liberty," than now; for all kinds of dangerous legislation, far-reaching and revolutionary, directed by radicals who have no respect for the rights of individuals or the doctrines of individualism, now threaten to make the United States a democracy subject to the will of the multitude, in order that rules of conduct may be prescribed, fortunes may be confiscated, and mischievous notions may become the law of the land.

The most serious forms of paternalism ever known, like death's invisible approach, as Robert Louis Stevenson wrote of famine, now seek to crib, cabin, and confine the individual by the decrees of the tyrannical majority, led by wicked, active, and meddlesome agitators.

XVI. That democracy must be made safe for the world, rather than the world safe for democracy. This can be done by confining democracy within the limits provided by the checks and balances of the organic law. The Revolutionary Fathers, men of vast experience and learning, provided the safeguards for posterity. "Back to the Republic!" is the only road for patriots.

XVII. That democracy is a saving and vital principle in all just governments, because the multitude has an inalienable right to give expression to its views and work against injustice and class domination. In combination with selective leadership, trained to serve it intelligently, democracy is the best check on autocracy that the world has yet discovered. On the other hand selective leadership—control by sympathetic and trained men of broad vision—is the best check yet devised on the ignorance and passions of the majority.

UNIV. OF
CALIFORNIA

THE MASSES IN THE MIRROR

CHAPTER I

A CHAPTER OF QUESTIONS

DEMOCRACY is the most talked of thing in the world to-day. What is it? What are its aims and weaknesses, its limitations and its strength?

Monarchs have fallen; soviets have been established; Kerenskys have come and gone; Liebknechts and Eisners have been assassinated—all in the name of democracy. What does this magical word mean? What crimes, excesses, and sacrifices are due to its prevalence, or caused by the struggle to achieve it?

Republics based on the phrases of the French Revolution—Liberty, Fraternity, Equality—with pure democracy as the talisman, are springing up over night in the most unexpected places. If painted men were to leap from the jungle, uttering the phrases familiar to republics, it would not surprise us, so swift has been the spread of democratic ideals throughout the

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world—from the Arctic Circle to the Equator, from the black natives of faraway countries to the emancipated exiles of Siberia.

Why are men under all flags and religions falling on their knees to Demos, ideal of the people?

Benighted races are rousing themselves from their slumber of ages and pledging their lives, their fortunes, and their sacred honor to the flags which proclaim that the world must be made safe for democracy—races whose very names we have not yet been able to pronounce, of whose existence we had never known until Prussian militarism set the world afire, whose countries are as unfamiliar to us as are the slopes of Mighty Haleakala. These widely separated and wholly unlike peoples, many of them having only the vaguest and most distorted ideas of what democracy means, are here and there founding republics based on the inalienable rights of man. Where will all this upheaval end, and what is its deep significance?

Do we of America have a much clearer understanding of democracy than that shown by its newest devotees? Is it true, as many careful observers tell us, that the idea of pure democracy—the unadulterated will of the people—is a delusion and a snare, as hopeless as any Utopian scheme ever pictured by a writer of romance or tale of South Sea idylls? Under

practical tests, just what may a nation expect if it becomes a republic in a world made safe for democracy, and how much of any success that comes will depend on ethnical, economic, and geographical factors? Is it possible that any nation ever has declared itself democratic and forthwith found that it was conjuring with a force at once omnipotent and benevolent?

Some of the Russians seem to believe that democracy simply means freedom and a division of the hoarded wealth of ages past—cessation of toil, a life of leisure and plenty. With childlike faith they have embraced the doctrines of democracy as a starving man might accept a life membership in the Home of the Unfortunate, with a clean bed and three square meals a day.

If a cannibal should suddenly proclaim himself a Christian, and immediately begin to turn the historic “other cheek” to his hereditary head-hunting foes, the spectacle would hardly create more surprise than the cataclysm of the races now sending all humanity into the mad scramble for democracy.

And about the time that President Wilson and his followers the world over began to feel that the planet was becoming safe for democracy, keen observers, studying the wildness of Bolshevism, the wildness of internecine revolutions in Germany, and even such events as attracted the at-

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tention of the people of the United States to Seattle, early in 1919, began seriously to ask, "How shall we tame democracy and make it safe for the world?" Thus a dual problem confronts those now devoting themselves to the solution of the complex political and industrial affairs of the day. Can democracy solve the very problems which it itself creates?

Is it not about time that we Americans—devotees of democracy, as we are—should begin to learn more about it? If it is beset with dangers, what are they? If it may be hedged about with safeguards, what are they? Whence came they, and why have so many of us not suspected their existence?

It is time to open our minds to truths of vital importance, in order that we may wisely and honorably discharge our high duties as citizens of the Great Republic, duties that grow more and more difficult and complex in these troublous times of multiplying revolutions, when all the world is looking to Uncle Sam for guidance.

While we are asking these questions, men pretending to act in the name of democracy are here and there running amuck with new slogans on their tongues, or with the old Jeffersonian maxims applied on foreign soil. Even here at home many of its friends are beginning to ask whether democracy is being applied with properly built

safety brakes and valves. Have we provided and used efficient checks and balances? Does our democracy sometimes confuse liberty with license, swaggering forth with pistol and bowie-knife, with torch and bomb to enforce its ideas of equality? Has democracy inherent defects and concealed weapons heretofore not discovered? Again, is it making a plaything of some of its new devices, such as the initiative and referendum? Is it not sometimes inclined to intimidate politicians and office-holders, or paralyze statesmanship by uttering threats which cause law-makers to tremble? Does the fear of the populace and its summary judgments at the polls sometimes force Congressmen and state legislators to kneel with their ears to the ground, instead of standing erect and doing their duty? Is the *hoi polloi* not even beginning to invade the sacred cloisters where Justice is supposed to sit, far removed from the passions of the multitude, there to render just judgments under the law? These are a few of the questions which suggest some of the many dangers of the times in which we live. We must solve our problems or go the way of the fallen dynasties of history.

Have we not been placing too much faith in governments, democratic or otherwise? Have we not given legislatures too much power? Was Herbert Spencer correct when he indicted mod-

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ern society and accused it of abandoning the superstitious belief in the divine right of kings, only to transfer it into an equally superstitious belief in the omnipotent power of legislatures?

Is it not a truth too often overlooked that all progress must begin with individuals, not with groups, not with society, and not with governments? And was not Herbert Spencer again correct when he maintained that neither Socialism nor any other scheme devised by man is capable of obtaining golden conduct from the leaden instincts of human nature—dull and hopelessly selfish? And yet many of us have been hoping that we might obtain angelic conduct through a multiplicity of statutory hocus-pocuses, or by an extension of the principles of democracy to all the rabbles of the earth, as if the blessings of liberty and equality would spring into being by giving power to the motley throngs of every country on the globe.

Is liberty a plant that will grow and blossom anywhere, even on the barren rocks of ignorance and selfishness? If not, under what guidance may the democratic will be molded and led to places of wisdom?

Has the crowd, the democratic multitude, ever invented a spinning jenny, a steamship, a locomotive, a power loom, a telephone, the telegraph, the wireless, or the moving-picture? Has the

mass ever written a Declaration of Independence, or even a Marxian hypothesis and formula for its own betterment?

Are not thought, planning, guidance, and all like work inherently the tasks of rare individual thinkers, or of little groups, rather than of the unwieldy masses? If this be true, then how far can the masses intelligently choose their leaders or differentiate a good plan or law from a bad one? What are the just limitations that should be placed on the power of the multitude, and what are the inevitable weaknesses of collective bodies? In other words, what is the proper province of leadership, and how shall leaders and their followers co-operate in their common purposes, co-ordinate the work, and perform the tasks that confront civilized nations in the business of government and the industries of civilization?

If the multitude is often stupid and even hopelessly wrong, as the verdict of history and the opinions of historians and philosophers seem to attest, what is to be our refuge, aside from doing our utmost to bring the masses to a higher standard of intellectual and moral development?

How shall the blundering judgments of ignorant men, and of men who can not take the time to investigate complex questions, even if they possess the ability to master them, be made available

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in administrative and governmental undertakings? Furthermore, how are the deeds of the body politic, whether performed by the select few or by the multitude, to be brought into harmony with the doctrine of inalienable rights? In short, how shall we invoke safeguards against the admitted evils of democracy without hampering its logical and proper functions in the affairs of the world?

The rational answering of all these questions is of paramount importance to the perpetuity of human institutions, for without peace first, followed by the largest possible amount of liberty, chaos must ensue, life and property must become uncertain, and the work of man become as naught.

Is there anything inherently sacred in mere majorities, whose decrees after all rest on the force of numbers? Do "God and one," or justice and one, as sometimes maintained, constitute a majority in the court of conscience? Why was the phrase *vox populi, vox dei*, ever coined, since the voice of the people is often not even the voice of righteousness or of common-sense?

What are the provided constitutional checks and balances that may be employed to "rein in" wild majorities? And, far beyond the check of written constitutions, what are the fundamental laws of ethics, as stated by the Millses, Spencers,

and Sir Leslie Stephens of the world—those unwritten codes which deal with abstract and relative morality, and with natural equity as between man and man?

How far will even the best governments be able, in opposition to the passions and prejudices of men, to preserve for the individual such freedom and such purely personal rights as have been set forth as fundamentally necessary, and pleaded for by the seers and lovers of justice of all ages? Can we realize the ideals of those who have founded governments on principles which they have dreamed might forever free the world from tyranny and narrowness?

The perennial rights of man, the fundamental limitations of democracy, and the limitations that should be placed on governmental interference have probably been more clearly and forcefully stated by John Stuart Mill (in his unanswerable and masterful *Liberty*) than anywhere else in literature. How shall we translate into realities the ideal relationships which Mill and men of his type have laid down as essential to man's realization of freedom?

Familiarity with such devices as the initiative and the referendum, coupled with frequent repetition of the phrase "the majority rules," has led many persons to believe that we are living under a pure democracy, where, *in virtue of manhood*

(sometimes womanhood) alone, the will of each unit is equal to the will of every other unit—in short, that the voice of the people is the supreme law of the land.

There could be no grosser misconception of the conditions prevailing in the democratic governments of the world, than that which conceives it possible for the multitude to meet as a few villagers might meet at a town meeting to vote yea and nay respecting the purchase of a town pump or a public trough for horses. In companies so small, and on problems so simple that every Hezekiah knows every Ezekiel in the neighborhood, and where everybody can identify his neighbor's voice, a purely democratic administration is possible, as in a few remote and primitive communities of savages such as Spencer describes in *Political Institutions*.

Should we not strive more and more to obtain a government composed of the efficient and conducted by the efficient, always for the masses, than to struggle for a mere extension of authority to unqualified electors? Why should not the people at large profit by using the services of the geniuses of the world, rather than attempt the impossible by hampering leadership and losing its clear-voiced direction in a multitude of counsel?

Then just what part shall democracy still play

in carrying on those governments which pretend to respect just judgments under the law? If the world should be made safe for democracy, democracy also being made safe for the world, what are the inevitable limitations imposed on the actions of the multitude by the unalterable laws of life itself?

Since the greatest imaginable inequalities of wealth are said to exist in the United States, where the world's largest experiment in democracy has been staged, what is to be accomplished by the extension of the American system throughout the world? And since it has been charged that pure democracy "exists chiefly on the tongues of political orators, or drips from the pens of publicity writers," being impossible as a working principle, unless aided by oligarchy, why not re-examine the fundamentals and come face to face with the obvious facts of government and of human nature?

Emulating the anatomist who carefully dissects the subject before him, let us now use the scalpel of logic, and with it dissect at least the bony framework of the body politic.

CHAPTER II

MORE QUESTIONS, SOME ANSWERS

IT might be more closely asked why anybody should want to make the world safe for democracy, which has never been safe for the world, and which contains explosive elements that can not be held within bounds, for one thing, and which must remain unwieldly and impracticable as a working plan, for another. No democracy in history has ever been safe, just, and well-balanced. The advocates of pure democracy, if there be such, might well be challenged to show an example where unadulterated democracy has ever been advantageously employed for the world, or even for any country of the world other than some primitive or very small society.

Madison, Hamilton, Washington, Jefferson, and those who wrought with them rejected the unchecked democratic plan. There was a strong reason for their rejection, and a study of the old-time school books will show that what the illustrious Revolutionary Fathers founded was a Republic—long known as the Great Republic, an institution as unlike the ancient republics of Venice and Holland as a pair of Bolshevik political dervishes are unlike any two gentlemen of Verona one might chance to meet.

Who gave anybody a license to overthrow the Republic of the United States in favor of a democracy? Will some modern patriot please explain where, when, and by whom article IV, section 4 of the Constitution of the United States was repealed? Here is the way it still stands: "The United States shall guarantee a republican form of government to every state in this Union."

In the Federalist, Madison wrote of democracies as having ever been "spectacles of turbulence and contention; incompatible with personal security or the rights of property, and have in general been as short in their lives as they have been violent in their deaths." Then he turned to the idea of a republic, and said: "By this I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking." Continuing, he said that in a republic there is "the delegation of the government to *a small number of citizens elected by the rest.* . . . Hence, it clearly appears that the same advantage which a republic has over a democracy consists in the substitution of representatives whose *enlightened views and virtuous sentiments* render them superior to local prejudices and to the schemes of injustice."

Harry F. Atwood has stated the case clearly in his sterling book entitled *Back to the Republic*,

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wherein he shows that a republic is a form of government under a constitution which provides for the election of an executive and a legislative body. These, working together in a representative capacity, have all power of appointment, all power of legislation, all power to raise revenues and appropriate expenditures. They are, furthermore, required to create a judiciary, presumed ever to remain above the disturbances of the time and the noise of the mob, to pass just judgments under righteous laws, to annul or validate the acts of government, and preserve the inalienable rights of individuals, as guaranteed by the Declaration of Independence. The omission of any of the elements herein named annuls the republican plan, as when the representative system is destroyed.

For thousands of years before the Great Republic was founded, human affairs were controlled varyingly by democracies or absolute monarchs, the pendulum swinging for many generations. The Revolutionary Fathers of America created a system which sought to and did avoid the evils of democracy on the one hand, and of autocratic forms of government on the other. In all human history there had not been such an instrument as the Declaration of Independence. After reading our organic law, based on it, Gladstone remarked: "It is the

greatest piece of work ever struck off at a given time by the brain and purpose of man."

And our Constitution established a republic, not a democracy. Let us make the world safe for our republic.

Pitt exclaimed that the American instrument would remain the wonder and admiration of all future generations, and the model of future constitutions.

Nicholas Murray Butler concludes, in his work, *Why Should We Change Our Form of Government?* that we should not, and that the representative scheme of this Republic protects the liberties of individuals from invasion by the powers of government itself. Pledging and instructing delegates was, he thinks, the beginning of the destruction of the republican ideal. We have sought to make the representative a mere registering machine echoing the popular will, instead of a dignified representative, elected to use his brains and experience.

The most casual examination of the great ancient and modern movements of men for their betterment indicates, and should prove to the most ardent advocate of democracy, that the masses need guidance. The few qualified to govern must, if things are accomplished, be entrusted with power. What did the French Revolution achieve in stripping government of irre-

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sponsible and unbridled power and placing restraints upon it until the leadership of the Mirabeaus gave direction to the work of the mobs?

In recent experience even the Bolsheviks of Russia were compelled to delegate authority to leaders—despotic authority, with power over life and property—in order to make their revolution a definite movement for definite aims. We read (April 7, 1919) that the Bolshevik leaders in Archangel have become arbitrary and “forced the peasants to salute officers and do duty wherever stationed, without complaint, or be shot for refusing, severely punished for hesitating to obey.”

This incident suggests that a writer in the *Atlantic Monthly*, who signs himself “the Demobilized Professor” (April, 1919), is correct in this sentence: “The habits of the crowd may be vulgar, but the aspirations of the crowd are not necessarily vulgar. They are, however, inarticulate. They need to be invoked, kindled, symbolized, and organized, so that they may be conscious of themselves and acquire a rational method.”

In a well-balanced republic wise leadership works in the line indicated by this writer. In a pure democracy the crowd misses just what this writer specifies as its requirement—constructive and sympathetic leadership.

The Fathers of the Great Republic knew these

cardinal truths of history so well that they were careful to place limitations on the power of the multitude and to provide brakes to prevent the government itself from imposing on individuals.

An illustrious American statesman once clearly stated in a historic speech that one of the most sagacious philosophers of antiquity wisely maintained that constitutions are for the purpose, in part, of restraining governments, just as the object of laws is to restrain individuals from interfering with the rights and liberties of others.

It is true that this principle and these checks apply just as forcibly when the power of government is vested in the majority (in a democracy) as when it is vested in an oligarchy or in a single individual. In other words, republics, democracies, constitutional monarchies, and all other forms of government must be under the restraints of bills of rights and organic laws in order to prevent despotism and chaos.

So, while majorities have a clear right to govern within their proper field, and under the delegation of authority to them by the conventions of society, they are not to be permitted to run beyond those just limitations which have been clearly defined in the organic law. There is no such thing as the natural right of the majority to rule, for this right is purely one agreed on by

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convention, and it has never been held to be absolute or unlimited.

The Southern statesman referred to in the foregoing, one of the greatest logicians this country has ever produced, maintained that it was clear that by nature, and aside from covenants or conventions, every individual has the right to govern himself in any way he may—a sort of animal condition where force and cunning are the only bill of rights, weakness and fear the only restraining influences. Under just laws, however, and under the rule of natural ethics, men should be held responsible for all deeds of theirs which unjustly restrain others from their equal rights in the world.

From these premises it must follow that governments—majorities, for example—must derive their just powers from the assent, either express or implied, of the governed, and be subject to such limitations as may have been originally imposed. “Back to the Constitution!” is the proper cry in cases of doubt.

If the majority is permitted to rule without restrictions, despotism is the result, and the minority becomes a band of subjugated slaves. Such was the view of Thomas Jefferson, carefully written at a late period of his life, after mature reflection. He maintained that the unrestrained will of the majority is “a form of government, as

in all other unlimited ones, in which injustice, and violence, and force must finally prevail."

It should never be forgotten, even in the heat of campaigns and great movements of the people, that the government of the majority, acting through a legally chosen body of representatives, is the standard American form of government, because it was selected by those who established our Republic; but neither the majority alone, by *viva voce* or written ballot, nor its chosen representatives engaged in passing, amending, and repealing laws, are to be permitted to act without reference to those just limitations which were wisely placed on their power.

Why the inhibitions and balances of the organic law? Beyond them, why the just action of subtle laws known as ethical codes that seem interwoven with the very thought of life itself? Because it is inevitable that the tendency of all governments is to aggress more and more on the sacred rights of individuals, as Herbert Spencer has conclusively shown.

One of the greatest United States senators of ante-bellum days also demonstrated that the tendency of the unbridled majority has always been toward tyrannical and quarreling factions, corruption, despotism, and finally, chaos. This destructive tendency develops alike whether the will of the majority is expressed directly, as in

a democracy, or by its chosen representatives. Experience and reason alike demonstrate the truth of this conclusion.

The governing classes and their friends, if allowed to do as they desire, soon begin to increase those many activities which give employment and power, preferment and ease to a growing army of office-holders. All who in any way profit by governmental activities strive to increase the power of that government which brings them prosperity and comfort.

Thus, taxes become heavier, and the ruling classes multiply by election and appointment. Commissions blossom over night, all at the expense of those who keep the political machine going. As a vaudeville minstrel recently sang, "There is great joy in joy-riding at other people's expense." The tax-payers must feed the tax-eaters, and the tax-eaters wax fat and numerous on what they eat. This is always true, even in the most popular forms of government; but when the government represents an overbearing majority which treats differing minorities with contempt, the result is contention, doubt, suspicion, and possibly upheavals.

There can be neither justice nor the semblance of patriotism where a faction, or even a majority, controls the government insolently, acting without regard to differing opinions, natural ethics,

constitutional limitations, or the rules of common-sense. Without constitutional restraints, any imaginable form of government will inevitably drive the people into two warring factions or camps, where hostile interests continuously battle for spoils, struggle to pass laws hostile to their foes, and impose their own views of civic decency and personal conduct on the subjugated minority, even if that minority almost equals the conquering majority in numbers, or surpasses it in importance and intelligence. Such contests finally result in despotism, then Chaos and Old Night. Many of the vendettas of Sicily, like the bandit wars of Mexico, are the result of this conception of the privilege of majorities, as when Brennus the Gaul, marching upon the defeated foe, emblazoned the sign, "Woe unto the vanquished!" Government without justice or mercy is the result.

Under such conditions, there can be neither peace nor prosperity, and it was for reasons such as have been recited that we have Constitutional checks, as provided by the founders. The lesson from all this is that governments should halt their operations in every field where their action invades the inalienable rights of the minority, and wherever their action is not essential defensively, or to guarantee to every citizen the same liberties which every other citizen enjoys.

We as Americans in particular should learn that the most powerful forces are those which are silent—the silent forces of evolution rather than the noisy forces of revolution, the work of individuals and private associations which plead, educate, and remonstrate, rather than the enactments of legislatures. Above all, we should heed the warning of the great Englishman who said that the path of progress lies rather in “Be it repealed!” than in “Be it enacted!”

Aggressive individuals and political parties in power, or about to obtain control of governments, habitually oppose all but the very simplest limitations on their will to govern, to rule, dominate, and subject others to their orders; but the minority, often almost as large as its overbearing antagonist, always seeks to limit the activities of those in power—and to extend the despotism whenever it itself grows into a majority. In the perpetual contest between Authority (or power) and Liberty, the minority has always been for greater freedom, the majority for less. It is true that when tyrants and bigots are in power without safeguards and constitutional restraints, they rob the minority of their liberties and exclude them from the emoluments of government, “which are reserved for those who have qualified themselves, by political prostitution, for admis-

sion into the Magdalen Asylum" of the opportunist and the oppressor.

In this connection, though slightly aside from the main current of the argument, it might be said that the Hare system of proportional representation, advocated by John Stuart Mill, is the nearest approach men have yet discovered to a plan that promises to give minorities a voice in governmental affairs. This is clearly explained in Chapter VII of his unsurpassed *Representative Government*, just as the best exposition of the just limitations of governments in their attempts to subvert the sovereign rights of individuals is probably found in his inimitable *Liberty*. In conjunction with this brilliant and unanswerable essay one would do well to see Herbert Spencer's *Man Versus the State*, from which the following is quoted:

"If we say that life on the whole yields more pleasure than pain; or that it is on the way to become such that it will yield more pleasure than pain; then those actions by which life is maintained are justified, and there results a warrant for the freedom to perform them. Those who hold that life is valuable, hold, by implication, that men ought not to be prevented from carrying on life-sustaining activities. In other words, if it is said to be 'right' that they should carry

them on, then, by permutation, we get the assertion that they 'have a right' to carry them on. Clearly the conception of 'natural rights' originates in recognition of the truth that if life is justifiable, there must be a justification for the performance of acts essential to its preservation; and, therefore, a justification for those liberties and claims which make such acts possible."

If we are to maintain the type of government founded by the Fathers—a government of delegated authority under the republican form—it will be necessary to abandon the heresy that majorities are omnipotent.

Whence came the dogmatic and unauthorized notion that the unrestrained "will of the people" is the final authority in government? The average man believes that "the will of the majority" is peculiarly American, and that it is also the supreme law of the land. It is even popularly believed that anybody who doubts this proposition is a foe of law and order.

If the will of the people is the final test of righteousness, what becomes of the guarantee of inalienable rights, which guarantee is the assurance of the Declaration of Independence? What assurance have we that the will of the majority and alienable rights will be the same thing? Let us suppose, as Sir Leslie Stephen says in his *Science of Ethics*, that a legislature were to

decree that all blue-eyed babies must be killed at birth, and let us suppose also, that this decree should meet with the approval of eighty per cent of the people of a given state. Would there be no appeal from this majority decision? Would not the courts at once pronounce such a law null and void, because in opposition to inalienable rights?

All history furnishes examples of the frightfulness of the unrestrained will of the multitude. Ancient and modern examples might well find duplications in the cruelties of Russia and some of the excesses of the Spartacists in Germany to-day.

The will of the people was taken as the foundation of the French Revolution, which robbed the king of his despotic powers, only to lodge more wicked and despotic powers in the mob. What a catastrophe the French people finally plunged into, after slipping toward it for many generations! When the dumb lips of long abused France were finally opened at the States-General (assembled May 5, 1789) the pent-up wrath of one-hundred and seventy-five years of oppression broke forth into exclamations of terrorism that startled the world.

In asserting the supreme authority of the people, assembled as a noisy and unreasoning mass, the rights of individuals were annihilated

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along with the authority of kings. Minorities were sent to the guillotine by thousands, merely because they were minorities, and therefore within the grasp of the unreasoning majority. To whisper dissent from the voice of the mad majority was to court death.

“All the power formerly possessed by the king was taken over by the people, undiminished in amount, and untempered in quality,” says David Jayne Hill in his valuable *People’s Government*. The despotism of the mob became the bloodiest reign of terror in modern history.

Emile Faguet, an eminent member of the French Academy, gives the following clear and scholarly conclusions respecting the French Revolution:

“The French Revolution neither enthroned individualism nor suppressed absolutism. It did precisely the contrary. It displaced absolutism, at the same time re-enforcing it; it displaced despotism only to exercise it more forcibly; and it did nothing else. It put the sovereignty of the people in the place of the sovereignty of the king, and it did nothing else. The omnipotence of the people in place of the omnipotence of the king; the omniscience of the people in place of the omniscience of the king; the unlimited property-right of the people in place of the unlimited property-right of the king; *absolute effacement of the*

individual by the majority of his compatriots in place of absolute effacement of the individual by the royal authority; the voice of the majority in place of the voice of the king—that is, without qualification, the sum and substance of the French Revolution."

And substitution of the unbridled power of the multitude, of the voice of the majority for the voice of the supreme law in the United States, would destroy all the rights of individuals and play as much havoc with property-rights in this country to-day as the French Revolution wrought with the same things in its day.

"I am the state" (L'état c'est moi), the famous declaration of Louis XIV, did not differ one iota from the Revolutionary cry at Paris which proclaimed the mob and the state one and the same. When the Bastille of the king fell, it was supplanted by the guillotine of the unrestrained and stampeded multitude. Masses were slain without mercy—men, women, and children against whom even the slightest breath of suspicion was uttered, possibly by some cunning and wicked foe. Superiority of blood or name or fortune was a fatal taint and a swift passport to the grave, as in Russia in this year 1919. Indecency, cruelty, and the sanguinary rage of those who in turn possessed the power of the state, were everyday spectacles of mob wicked-

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ness. Those who ruled one day, merciless and heedless of prayers and tears, the next day fell victims of their bloodthirsty successors.

“Are ceremonies necessary to reduce those whom the people have already judged as criminals?” asked Hébert;—and the formalities of trials were forthwith abolished. The victims were then reduced (guillotined) without hesitation. The victims of the mob were not permitted to plead or to offer one word in their own defense, and protesting minorities, who merely hesitated to discuss methods or to alter plans, were at once condemned to the glistening blade. Such was the fate of deputies who dissented for one moment from the merciless will of the mass. Personal enmities also left life insecure, and in the storms of passion the voice of justice was drowned. In forty-seven days 1,366 were sent to their graves without mercy. One of the noted leaders of the mob calmly wrote: “It is our purpose, by the destruction of certain individuals, to secure the happiness of posterity.”

Fouché wrote from Lyons: “The sight of two thousand bloody corpses thrown into the Rhone impresses upon the beholders on the two shores the image of the omnipotence of the people.”

And the Robespierres in turn became the victims of the enraged masses whose leaders they

had been! In time the Terrorists lost their power, and Napoleon built his empire on the ruins they had left.

So the conclusion is inevitable that the masses can not rightfully possess unbridled power. They are not more omnipotent than a king or an individual.

“If there is nothing absolute in the individual, there is nothing absolute in the mass. There is no absolute authority in mere numerical preponderance,” says David Jayne Hill, who rightly states the principles on which this Republic was founded when he says that the voice of the majority is as devoid of unlimited authority as is the voice of a king. He makes it clear that the individual possesses inalienable rights which no collection of persons, however numerous, may justly take away. If it be a mere question of force, then even a minority, possessing superior power in the form of muscular force or weapons, may impose its absolute will upon the majority or any part of it, and may even reduce those opposing it to servitude; but if it is a question of rightful authority, the least infraction of a right is, in principle, as wicked as entire spoliation. The moment we assume that might is right we have abandoned civilized conceptions and lapsed into savagery. Jurisprudence and equity deal with

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rights and obligations, not with force, for all the power beneath the stars can not make wrong right.

Nothing more vital to the perpetuity of American conceptions of government has ever been said than was written by David Jayne Hill in these words: "Democracy can not accept any sovereign who is not willing to set limits to his powers and recognize his own subordination to fundamental law. The eternal struggle is between imperialism, even of the many, and constitutionalism."

All theories which assert the omnipotence of the people, the absolute power of the majority, except in the limited field where questions of policy fall clearly within the province of majorities for adjustment, are wrong. The existence of absolute sovereignty, except that of the individual in matters concerning himself, his beliefs, his purely personal rights, is a denial of the authority of law. No majority should be permitted to destroy inalienable rights or interfere with that freedom which the Declaration of Independence and the Constitution of the United States guarantee to one and all.

CHAPTER III

A SOLID FOUNDATION

THE Great Republic was established on a basis new in all history. Its founders discarded the will of the despot, the idea of the divine right of kings, the conception of any unrestrained will of anybody or any mass, and built their structure on the theory of inalienable rights—just judgments under laws that guarantee to every citizen the preservation of his inalienable rights.

“Just judgment under law,” says David Jayne Hill, “is the theory of our Government.” Such a just judgment, expressed by the calm and deliberate action of courts designed to be above the passions of the hour, was provided to take the place of force and compulsion. Under this view the unqualified will of the majority is seen not to be the basis of our system, and it is also to be shown that the unqualified will of the majority is never a sound basis for governments to rest upon. There is no ground of assurance that the will of the majority will respect the inherent rights of the minority. Indeed there is in some places a growing conviction that minorities have no rights that majorities must respect. This view has been shown to be invalid by every philosopher from Plato to Sir Leslie Stephen and

Herbert Spencer, and from every political and law writer from Grotius to James Carter and President Lowell of Harvard.

If the French Revolution taught the world one great and impressive lesson above every other teaching of that cataclysm, it was that the state can not be tolerated as the embodiment of irresponsible power. The monarchs who suppressed the ancient legislature of France, the States-General of the kingdom, which had been extinct ever since 1614, finally heard the cry of May, 1789, when the dumb lips of France broke the silence and taught the world that power which becomes unlimited and despotic must meet the great day of judgment. And when France spoke for the first time in one hundred and seventy-five years, at the assembling of the States-General at Versailles, May 5, 1789, she gave the world the message it now needs—that irresponsible power must come to grief.

In the United States the Supreme Court stands as a body unique in human history, for it is the last bulwark that checks every individual and every force, even that of the entrenched power of the overwhelming majority, that would injure the individual or rob the country of the benefits of the inalienable rights granted by the Constitution.

After carefully studying the history and func-

tions of the Supreme Court of the United States, Bryce, the eminent English diplomat and student of American institutions, wrote thus: "The Supreme Court of the United States is the guarantee of the minority, who, when threatened by the impatient vehemence of the majority, can appeal to this permanent law, finding the interpreter and enforcer thereof in a court set above the assaults of faction."

David Jayne Hill adds that in establishing the supreme tribunal, the Revolutionary Fathers based authority on fixed principles of justice, rather than upon the will of an absolute sovereign—the protection of individual rights against the encroachments of powerful interests, even of the state itself.

It might be well to emphasize the fact that a hypothetical case based on supposed acts of the majority might be posited to illustrate the point. To take an extreme example, let us suppose that a legislature, or even Congress, were to enact a law providing that every man in the United States, be he citizen or otherwise, must deed all his real estate to a society, church, or lodge on reaching his thirtieth birthday. Let us suppose that this law were upheld by referendum in those states which invoke this device. It requires no argument, even for the simplest man to understand that such a confiscatory enactment would

speedily be pronounced null and void as in contravention of obvious rights of property. Why? If the will of the majority is to be the supreme law, why set it aside? Simply because it has never been provided that the will of the majority shall be the supreme law, except in the matters where that will may be properly expressed, as, for example, in choosing officers under the representative system.

If the minority finds itself subject to a law of the majority which does not suit it, a law which in truth may meet with the hostile disapproval of the minority, whether it be passed by a majority or by their representatives, the test question is, "Shall we obey the law?" It has been said that the best way to kill an obnoxious law is to enforce it strictly until the public clamors for an alteration or a repeal. In practice, however, though the practice may not be very patriotic, many obnoxious laws are violated, treated as "dead letters," and finally repealed. An instance is the anti-cigarette law which was passed in the State of Washington about 1910. It was so universally violated that it was repealed in response to the sentiment of shame. Legislators said, "Why keep a law on the books which everybody violates and nobody even tries longer to enforce?"

Revolution to overthrow an unpopular law

may be of either a peaceful or a violent type—a new government and new laws, or civil war, possibly chaos and a reign of terror.

Progress has always been marked by revolutions against authority which was either unwelcome, or unjust in the end, even if at first welcome. Jefferson said that a little revolution now and then is as beneficial and necessary to clear the political atmosphere in republics as are storms to clear the atmosphere in the physical world.

The establishing of inalienable rights by organic law, and the creation of impartial tribunals to interpret the laws of the land in a spirit of fairness and justice, without prejudice or favoritism, have thus far proved the greatest safeguards in the United States. Without the impartial interpretation of laws meant to restrain the acts of tyrants, how can the fluctuating and sometimes vindictive decisions of mere majorities, however great, be prevented from ignoring the primal rights of man?

It is necessary to make these points clear for the reason that there has of late years been considerable teaching to the effect that the public at large should control as a democracy, rather than under the forms of a republican government, as guaranteed by the Constitution. Unfortunately, some men of patriotic motives, mistaken though they have been in their ideas of remedial

justice, have advocated an appeal from the decisions of courts, as if a plebiscite did not destroy the very safeguards of our system and invoke the passions of the crowd.

The word democracy has often been used as if it were a panacea for all political and social evils and ailments. Whenever the word democracy is thus used—and democracy has a vital part to play in our government—there is a covert insinuation that anything not purely democratic must be a thing of evil. It must be borne in mind that the oligarchic principle—rule of the few—must be wisely blended with the democratic element, in order that the scheme of our Government may not fail.

The rule of the few, whether in the law-making or the law-interpreting department of government, is often branded as autocratic. Unless there is a manifest abuse of autocracy it is not necessarily a bad factor in the administration of the people's affairs. Mallock plainly shows that autocracy, in the better sense of the word, simply means such power of sagacity and intellect as the many do not possess or share with the few, or which gives to the few a power out of proportion to their small number. In other words, the essence of autocracy, to borrow from Mallock again, is one kind or another of oligarchy. He asks whether President Wilson, Lloyd George,

Clemenceau, Orlando, and their types—all exercising vast power as a select oligarchy chosen by the masses—have done no more than any chance half dozen men, picked from the crowds of the principal cities of the countries from which these leaders sprang, could have done? Unadulterated democracy would give the units of the population equal power with any other equal number of units.

Did the hundred select men of business and professional acumen, chosen by Great Britain to direct the winning of the war, do no more than any hundred of the multitude that might have been chosen by lot?

And in the United States did Hoover, Hurley, Ryan, Schwab, Palmer, and Piez count for no more than their numerical power? Of course they did, and we all know that in this oligarchy the choice and master spirits of the times were grouped together in every allied country to make possible the victories for which the masses paid with their wealth, their industry, and their lives.

Furthermore, the select and exceptional men were welcomed and cheered by the multitudes the world over. We know that the Wilsons and Georges have shown us by their careers that the principle of oligarchy was manifested in them in order that the despotism of military power might not rule the earth. Mallock says that in all civi-

lized countries oligarchy in production is essential to selective democracy in consumption. It may be proved without much difficulty that the oligarchic principle is creative, and that a high degree of creative activity in industrial and even in intellectual realms is necessary before the masses can benefit from the fruits of the select and "fittest" minds.

Every editor, author, and popular public speaker hammers on the fact that knowledge is humanity's great birthright. It was democracy's greatest American leader who not only wrote of the inalienable rights of man, and then helped to form the republican form of government for the Great Republic, but it was Jefferson himself, most learned man of the Fathers, who founded the University of Virginia.

Historical, philosophical, and scientific knowledge has multiplied human vocations and led man from the time when all were hunters and fishermen to the era when millions are ministering to man's spiritual wants in the higher fields of literature and art, music and the drama. Education, technical training, scientific studies—these give man a larger vision and open vistas of wonderful usefulness; but these are forms of knowledge that no man acquires from his own thoughts and experiences. He must reap the garnered treasures of all the wise and great of all the ages

past. Teachers must impart this valuable knowledge to the masses, this through deliberate processes of education. The few teach, the many are taught, from which it is evident that the world must have the select few, the oligarchy of professional teachers. These, in their turn, must depend on a higher oligarchy of genius, on the supreme thinkers and the supreme discoverers of past and present ages—the Platos, Aristotles, Columbuses, Newtons, Bacons, Galileos, Darwins, Stephensons, Cromptons, Hargreaveses, Arkwrights, and Edisons. Whether power looms, spinning jennies, telephones, or Copernican systems, genius and infinite painstaking are in the background—*the mastership of the few*. Through them the democratic masses finally reap their reward.

In the realm of emotion and purely intellectual activities we have the oligarchy of the Phidiases, Raphaels, Angelos, Wagners, Beethovens, and Shakespeares. The Vedas, bibles, and Iliads of the long ago have helped the masses throughout the ages. Thus, in those spheres of knowledge on which civilization is built, the activities of the superior few, the rare souls of the ages, play a part of such supreme importance that, were their activities absent, the mass of the people, whatever their material wealth, would remain unlettered, superstitious, unskilled in

medicine and surgery, in agriculture and navigation—half brutal barbarians—as are many of the new rich in isolated communities or settlements to-day.

But if all geniuses had kept their works to themselves they would have lived in vain. In every great field of human endeavor the effects produced by great men reveal themselves in the lives of others, in the comfort and civilized habits of the multitude. See how quickly the automobile has brought civilization to the waste places of the earth! The value of genius is measured by the extent to which it is able to impress its lessons upon the multitude through books and oral teaching.

In war activities, from the initial planning to the final victory, in all complex forms of industrial activities, and in every phase of political government, as in great business affairs, oligarchy has always been the leader, and through leadership the masses have at last found themselves. In all lines and among all races this has been true. Ancient Tyre, far-away Nippur, (most mysterious of all excavated cities), Babylon, among the Incas and the Aztecs, in Phoenicia, Crete, Egypt, Assyria, Carthage, Rome, Spain, the swamps of the Adriatic—everywhere are revealed the facts of human leadership; and in all nooks and avenues of man's activities, some

special position or advantage, wholly disproportionate to their small number, has always been present in the persons of the leading few, the persisting oligarchy of brains and power.

Ideas cannot be conquered, even by bullets. In all countries and under all the varying conditions of climate and religion, the rule holds that the minority of those fit to lead become the leaders. This is not the result of cunning or accident, no more than the telephone and the wireless, chloroform and modern bacteriology are the results of accident. In every field of human activity, brains win. As Emerson says, "The gods of fable are the shining moments of great men." The minority must show the many.

Belief that the power of a sovereign is absolute, as taught by John Austin, the eminent English writer on jurisprudence, is not consistent with our form of government, whether we lodge sovereignty in the mass or in their chosen leaders.

In his essay entitled *Democracy and the Constitution*, President A. Lawrence Lowell of Harvard says: "It is clear that all classes of citizens do not believe their interests are alike. . . . A popular majority, which is convinced that its welfare demands a sacrifice of the rights of a certain class of society, is under a strong temptation to trample upon them, just as a monarch or an aris-

tocracy would be. No possessor of power, whether his impulses are philanthropic or mercenary, is ever gratified by restraints imposed upon his use of it. It is clear that where absolute power is vested in any man or body of men, the rights of individuals depend upon the will of that man or body. . . . If, indeed, we compare the position of a monarch with that of a popular majority, we shall find that the former has the greater reason to curb the exercise of his will, and that his tyranny is therefore likely to be the less absolute of the two. He is always very much restrained by public opinion as well as by fear of actual resistance, whereas a popular majority, or a representative assembly possessed of absolute power, being itself the organ of public opinion, has little except the votes of its own members to reckon with."

Lowell also shows that a multitude is less steadied by a sense of responsibility than a single autocrat. The influence of its advisers is not of a better character than those of the monarch, for the demagogue and the courtier are made of the same stuff. The demagogue's flattery and his desire to surrender his own convictions to the wishes of his master, are the same, as the careers of time-serving politicians prove. The despotism of popular majorities is often blind to justice and deaf to mercy.

Herbert Spencer shows in *Man Versus the State* that it is the province of Liberalism everywhere to question Authority and put bounds to its assumptions. Free men do not rest happily under such laws as hampered our ancestors. In the fourteenth century diet and dress were meddlesomely restricted in England, and Henry the VIII issued edicts to prevent "the lower classes" from playing dice and card games. Modern reactionaries seek to prescribe rules of conduct in a similar way. Men here and there even surrender their liberties by popular vote. Spencer aptly asks: "If people by a plebiscite elect a man despot over them, do they remain free because the despotism was of their own making?"

He also asks whether the lives of citizens to-day are more or less interfered with than they were a few centuries ago, concluding that, as Liberalism in the past disputed the assumption of a monarch's unlimited authority, so Liberalism to-day must dispute unlimited authority anywhere.

It is not proper for the state to increase restraints on an individual beyond those which are needful for preventing him from directly or indirectly aggressing on his fellows—needful, that is, for maintaining the liberties of his fellows against his invasions of them. Continuing in this

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line, Spencer maintains that those who in **these** times exercise coercion over individuals **always** argue that their aim is the public good, the **general welfare**, or the protection of the **weak**. Despotism is despotism, regardless of its motives, for it is opposed to that freedom from restraint which liberalism demands.

Norman Angell has well said that there is great danger in the fact that oppressions usually begin with the best motives, the good motive finally being reinforced by one less defensible—*the hatred of those who disagree with us*, as seen in the bitter assertion of defeated so-called moralists and reformers in all ages, who fall back on the theory that no question is settled until it is settled right—that is, *their way*.

In the sixteenth century, heretics were burned alive, a holiday being declared for that purpose, the theory being that those who executed the supposed wrath of God on the wicked were glorifying the Creator and protecting society from error. Angell well concludes that, in spite of the custom of “virtuous women” who presented flowers and their sympathy to the pilloried wretches, to whom the torch was about to be set, the brutal features of the incident were uppermost. *The heretics were burned because they were hated.*

In truth, human history shows that the masses do not like or welcome intellectual freedom—

freedom to express views with which the majority does not agree. If views are regarded as mischievous, there is a desire that they be censored, forbidden, and denounced as wicked, dangerous, and immoral.

George Bernard Shaw, who is as often erratic and wrong as he is right, has well said that it is not possible to make the ordinary moral man—much less the woman—understand the real meaning of liberty and toleration. Such persons will accept liberal views with alacrity and enthusiasm; but what is meant by toleration is toleration of doctrines that the moralist deems enlightened—and by liberty, he means liberty to do what he considers right; that is, he does not really believe in liberty at all; for there is no need to tolerate what appears to be enlightened, or to claim liberty to do what the multitude deems to be right. Toleration and liberty have no sense or use except as to the toleration of opinions that are deemed damnable, and liberty to do what seems wrong.

CHAPTER IV

DEMOCRACY ANALYZED

It should be explained that W. H. Mallock's *Limitations of Democracy* has been largely paraphrased and epitomized, here and there, in large portions of the discussions that follow. Many sections of the ensuing discussion represent his exhaustive, learned, and illuminating work as it might appear through a diminishing glass, as somebody once said of a similar performance, or as one might view a landscape through the reverse end of a telescope.

No further apology is deemed necessary to account for the use of a number of his illustrations and many of his phrases in greatly curtailed form. Students desiring a more intimate acquaintance with some of the subjects discussed here, should by all means consult Mr. Mallock's valuable work.

THE tendency to oligarchy is due to the permanent facts of human nature and the complex character of all civilized societies. Talent and genius applied to government can be employed in only one way—that of an influence exercised by a few men over many. What would Cæsar, Washington, or Lincoln have been if they had been confined to their closets? Influencing and ruling men were their specialties, so the paralysis of oligarchy in their cases would have been the paralysis of talent. The word oligarchy is used as the equivalent of selective democracy.

Ambitious language often vitiates the thoughts, passions, and actions of multitudes.

Rousseau inflamed men's passions in the first

sentence of one of his most celebrated books by writing this: "Man is born free, but everywhere is in chains."

Rousseau and many others thought, and many still believe, that this catch phrase really expresses a momentous truth, but the words do not express a truth at all, nor do they convey any important meaning.

"Man in chains" is a rhetorical way, of course, of saying that he is a slave, that he is at least hampered by others. A little reflection indicates that man is not *born* at all.

Babies are born, and they are never born free; for if they were born free their conditions and actions would be determined by no intelligence or judgments but their own. The loving mothers of men will not verify this assumption.

Then at what period of his life does man become free, if, indeed, he is ever free? At what age does the child lose the chains that bound him in the helplessness of infancy? If he follows the usual course—wooing and wedding—he soon becomes chained to his obligations—the demands of his wife and possibly his children. If the baby is not free, neither is the adult. This phrase regarding freedom and chains is merely an example of ambiguity and loose thinking. The phrase suggests no rational diagnosis of man's ailments, whatever they may be.

There is much chaos in the loose use of the word *democracy*, whether it be qualified as political, social, or industrial. Current conceptions and definitions leave no ideas behind them which have any counterpart in the world of actual or possible fact.

What is really meant, for example, by the phrase used by Lincoln—a government *of* the people, *for* the people, *by* the people? And what is ultimately meant by another popular statement which runs that “every man, in virtue of his manhood alone, shall have an equal voice in the affairs of the common country”? Just what is really meant by a government actually in accordance with the general will of the governed? Except in small, simple communities, such as among some savage tribes, government by the voice of all the citizens assembled under the same tree is impossible.

The only practical device, therefore, is the election by the many of a small number of delegates to whom the mass of citizens give political power. These delegates, office-holders, agents, or rulers, are supposed to speak for the public, if in democracies. Their voice, however, is not a mere megaphone or phonograph, for it expresses the independent judgment of the officer himself in most cases. This is simply because he was elected to use his talents, and because there is no

public or common will on most of the subjects passed on. There is not even knowledge of what the questions of administration are. Hence the few, the oligarchy, must rule.

Government *of* the people must mean government exercised over them; *for* the people, must mean government carried on in the interest of the people of a particular country, and not in the interest of the people of any other country; and *by* the people means the same people covered in the words *of* and *for*. In brief, the essence of the phrase is—and it is the essence of the democratic principle—that every man shall have an equal voice in the affairs of the common country. The Lincolnian phrase is therefore only a sort of popular drum-beat, pounding on the word *people*, as a kind of political watchword.

Strictly interpreted, the doctrine that each citizen has an equal voice would not give an Isaac Newton any more authority in examining the accounts of a nation, or to impose any conclusions concerning them, than is given to an ignorant fish woman. If every human unit is to have equal influence, this conclusion is inevitable. But practically nobody makes so strict and ridiculous an interpretation of the word equality.

The practical working conception of democracy deals with the average man. The masses of

average men possess common honesty, common-sense, common good will, and common family affections. Because of these facts it is safe to say that the mass view of primary and fundamental questions will not show great variations. It is on general and fundamental questions only that there can be a common will or judgment in the way democratic opinions are considered.

But the matters with which modern governments deal are various and complex. Their ramifications are tremendous, and expert knowledge is often needed even to state what the problems themselves are.

While all men, even murderers, will agree that society is in duty bound to protect its members from assassins, and while the most ordinary man could vote intelligently in favor of punishing murderers, the average mass can not give an intelligent outline of what should be the policy of a given government on mono-metalism, or respecting the League of Nations.

The average man, the mass, would gladly leave such intricate problems to experts. Democracy is here impossible, for there is neither intelligent information nor a common will or judgment in such matters. On many questions there can be no public will at all.

There are in general four groups of political questions that may arise:

1. Fundamental, simple, and unaltering, as:
Shall murder be prevented by the state?
2. Momentary and simple, as: Shall we celebrate our victory?
3. Temperamental, such as the slavery question, the liquor problem, or matters affecting religion.
4. Composite questions, sometimes exceedingly technical and abstruse.

On abstruse questions, from the very nature of things, there can be no common knowledge and no intelligent will.

On such fundamental questions as protection from murder and theft, the democratic will, or voice of the people, is a unit, because fundamental questions relate to the maintenance of certain primary conditions without which society could not exist. Respecting proper punishment, opinions will differ.

Even the most ignorant and stupid man has a will or intelligently formed desire to vote for the protection of life and property. He is sound on fundamental questions. The will in such simple matters is spontaneous and practically unanimous. It is for this reason that when governments are too weak to act, either mobs or outraged individuals take into their own hands the redress of wrongs and the punishment of evildoers.

In small, crude, isolated nations or communities fundamental questions are practically the only ones, as Thomas Jefferson discovered when he investigated the methods obtaining among the American Indians. He even thought they needed no government, and he also believed in individualism to the extent of saying that the best government is that which governs or hampers the least.

But in complex modern societies, under the stress of civilization, and under every modern government, whatever its particular form, complicated questions of an extremely composite character are numerous—so numerous that they are the occasion of most of our laws and administrative institutions.

Often any one of half a dozen or more plans, amendments, and novel designs might work well or ill. Keen and balanced intellects are required, wide knowledge and expert judgments are demanded. Tariffs, copyrights, patents, immigration, navies, armies, agriculture, reclamation, highways, taxation in all its ramifications—what a wide range of complex governmental problems, hopelessly beyond the wisdom of a plebiscite!

How could mere numbers, “the opinion of the herd,” “the madness of the mob,” as the old phrases picture the multitude, ever intelligently

pass on complex questions? How could there possibly be an intelligent mass judgment on such problems?

In all composite questions, the purely democratic will is a hopeless and helpless blank, as the common-sense of mankind recognizes. It is for this reason that a pure democracy is impossible, and is never seriously advocated as a means of handling the work of modern governments. Most of the great tasks of statesmanship can never safely be left to that "great bullering whale, the public at large," whose ignorance of specialties leaves its will either a blank or a vague and incomplete judgment. The great work must therefore be carried on, the vital problems solved by the qualified few—men whose talents and energies, whose definite knowledge makes them competent to act as a wise oligarchy. The few must at least present some definite scheme or schemes for popular approval, for without the concrete case before them, the masses will have nothing to act on.

In composite questions, which constitute the great bulk of the work of civilized governments, the opinions of the many, unless trained and molded by the chosen few, are worthless. In other words, the democratic will does not exist. There can be no intelligent will capable of taking

action until the few come forward and provide the plan or scheme, formulate the questions, and advise the multitude.

For these reasons, in all advanced states of society, the exceptional influence of a more or less numerous and active few, whether as officers in the government service or leaders in private life, becomes the light by which the crowd sees its way. The activity of a trained oligarchy of brains and skill is therefore essential to the operation of the democratic principle, even in its advisory function. This fact is at the same time fatal to the theory of a pure democracy, for a democracy that is helpless without this directing oligarchy is not a successful democracy. It is not a pure democracy at all, in fact.

The representative system gives the democratic masses its leaders—men of brains, technical knowledge, leadership, talent, and even genius. This oligarchy of the elect, the chosen few, in reality governs, rules, and leads the masses. Either this, or society must lose the harvest of intellect and special qualifications.

On simple questions, most of which have long ago been permanently settled, the masses may now and then form intelligent opinions without teachers, but in the wide, ever-growing and increasingly complex field of modern government the democratic shibboleth is out of place for the

simple reason that the democratic will, the people's voice, is silent. In fact the multitude itself, knowing its ill-equipment and general unfitness for special cases, cries for enlightened leadership.

Even in selecting their leaders, the people must often abide by the advice and judgments of the few competent to pass on the qualifications of modern leadership. It requires Matthew Arnold's "remnant" or enlightened minority of the "fit" to answer the questions propounded by modern governments.

Shall the Bureau of Mines use geophones of the naval type in subterranean accidents? How far shall the Munsterberg theory of hypnosis be used to untangle strangulated ideas in the cortices of those bordering on dementia, and if in state institutions, should they be segregated? Shall the Government approve of Michelsen's plan for measuring the velocity of light? If so, should observatories built at public expense be so constructed as to preserve the exact proportions of the Temple of Winds at Athens? Shall we pass a law prohibiting the destruction of diamonds in Crookes tubes? Will the fact that diamonds pass through the thick walls of glass containers (as electrons) shed any light on the use of radium in public hospitals? Will the study of logarithms and psycho-therapy make the Indians

self-supporting and content on lonely reservations?

Thousands of complex questions, some of them of pressing and vital import, can never be passed on intelligently by democratic methods. They can not even be brought within the comprehension of the average voter: so the qualified oligarchy of the few—the leaders and pioneers who have in all ages been opposed and held back by the slow-moving masses—must continue to be in a sense the real rulers of men. The voice of the people is thus seen to have many clear limitations. It is well for all that this is the case.

Publicity campaigns by orators, editors, and committees are never necessary in elections involving purely fundamental questions. In all such problems, most of them settled ages ago, the wills of the many are spontaneously united; but in all composite questions the wills of the many, expressed as finished judgments, are non-existent. If they assume any tangible form whatever the form is so vague, various, and incomplete as to be a nullity. It is for this reason that in the political government of any large and complex society there can be no effective action by the many until after exceptional influences are systematically employed by the qualified few. Sometimes, unfortunately, the qualified few are dishonest schemers, plotters whose oligarchy is

wholly mischievous; or it may be a passionate, misguided, selfish, or shortsighted body of autocrats.

It is a fundamental error to assume that democracy is a system of government, except, possibly, in primitive little communities. Aside from small groups in such isolated examples, where the groups may be regarded as a big brotherhood, pure democracy has never been known.

Democracy is one principle, oligarchy is another. Combined in varying proportions, they produce government, but neither alone produces government in such highly civilized countries, for example, as England and America. As well maintain that charcoal or saltpeter alone produces gunpowder.

It should also be remembered that even in a pure democracy there might be wickedness, injustice, and the grinding tyranny of the mob, which has ever been intolerant. The mere word *democracy* is not an assurance that the deeds done in its name, often by inflamed masses, may not be evil deeds. On the other hand, the word *oligarchy* has no necessarily evil meaning or connotation, even if some oligarchies of the rich, powerful, and selfish have now and then, even often in history, conducted governments for the oppression of the multitude. But a coterie of

Lincolns and Jeffersons, working toward beneficent ends, solving problems of government for the benefit of "the common people," would be an oligarchy, though a beneficent and possibly a benevolent one. The word oligarchy simply means government by the few, and that sort of government is not necessarily an evil government, especially if there are wise checks and balances provided for the benefit of the many.

In the government of states and nations by parties, and in carrying on the work of those parties which struggle and watch for opportunities to regain power, democracy alone is powerless to achieve the ends desired. It must be led by the oligarchic elect, or it stumbles and falls, wrecked in the Babel of voices, strangled by a multitude of conflicting councils, possibly on the principle that too many cooks spoil the broth.

In leagues, associations, unions, and federations, each aiming strenuously to exercise a purely democratic will over its affairs, time after time it has been discovered that democracy without oligarchic direction is a failure. So continuously have failures been registered that the great democratic organizations of Europe have long ago abandoned the principle as an impossibility in practical affairs.

The microcosm of the small unit is dependent on oligarchic leadership, under the same com-

pling necessity that brings the great macrocosm of a mighty nation under the sway of the fundamental laws of human nature. Wild elephants, buffalo and elk are controlled by leaders, and naturalists tell us that an unerring law of nature selects the most fit for leadership. Though, unfortunately, no such selective influences unerringly give governments those most fit for leadership, it is true that the most highly civilized states are as helpless without leaders as are animals of the jungle.

CHAPTER V

SOME VIVID EXAMPLES

PURE democracy is the one vital aim of both the Socialist party and the Labor party of Europe. Professor Richard Michels of the universities of Basle and Turin has shown (in *Political Parties*) that these rampant and intensely radical parties advocate democracy unadulterated by any alien element whatsoever, "representing solely the will of equal and equally influential units."

If we desire to see democracy in actual practice, the object lesson will be found in the development of these great parties and their sundry subdivisions.

Professor Michel's analysis shows that **even** here, except in very small, simple groups **or** organizations, no purely democratic action is **possible**, and every attempt that has yet been **made** to eliminate oligarchy has but ended in the **re-creation** of it.

These parties started on the pure **democratic** theory that no unit of the mass shall exercise **any** influence greater than that which is exercised **by** any other. Those unions and leagues which chose their officials by lot, or in alphabetical **order**, and where every official proposal had to be put in writing and sanctioned by the signature of every member, and even where every account was open to the inspection of all, had to abandon these plans. Why?

As the membership grew and the affairs of the body became more complex, the primitive electoral plan and its democratic concomitants had to be abandoned as inadequate. Leaders possessing initiative and superior or special talents not found in the mass were chosen—and it was the *qualified few* of the committees which chose them—and to-day these important democratic organizations have *abandoned choice by and from a medley of supposed equals*.

Some of these great democratic organizations have even established colleges where a select few are carefully trained for leadership. They are

trained in order that they may do the work efficiently, and they are paid liberally for "piloting the herd," as one of their number puts it.

These organizations no longer measure public efficiency on a basis of assumed equality of talent, but they recognize the inherent differences between man and man. Though these trained leaders must in a sense and at times take orders from the democratic masses, they give ten orders to where they take one. When it comes to composite questions of any intricacy, they are actually *the oligarchy which rules the masses*.

It has been found by these organizations that in all abstruse or technical questions, and in problems requiring experience and far-sighted judgment, discussion of policies is inevitably "over the heads" of the multitude, so the membership gladly follows its leaders, as in the cantons of Switzerland, where the referendum long ago fell largely into disuse, except as the vote is guided by leaders.

So valuable have training and experience in leadership become that the most democratic of European parties seek to *preserve continuity of policy by continuity of personnel in the leadership*. In the Amalgamated Association of Operative Cotton Spinners of England leadership is virtually for life, as in the Italian Federation of Labor, and in the Socialist and Trade Union

parties of Germany before the Great War. With the Italians a referendum adverse to the policies of the leaders does not interfere with their tenure of office.

It is obvious that the unwieldy character of the multitude, in states or organizations of any size, prevents the free and concurrent discussion of policies. It is a physical and mechanical impossibility for a state or a great nation to assemble its voters under a common roof-tree and express the democratic will.

In Italy and Holland less than a fifth (sometimes only a tenth) of the members have taken the trouble to vote on vital questions, even when the conduct of leaders has been under censure. In the French General Federation of Labor only one member in fifty even reads the party journal.

In San Francisco some twenty years ago, at a meeting of a large trade-union, with more than two hundred in attendance, it was found that only two men had read important editorials in the morning papers—editorials on the very matters they were then discussing.

Everywhere it is only a small minority of the mass which keeps a watchful eye on the leaders and the policies of an organization. Thus it falls that criticisms of policy come, not from the democratic masses—the voice of the many—but from *the active oligarchic minorities*. This is the

situation in the ranks of the most democratic organizations now known to civilized society. The critics are often men who are themselves eager to succeed those against whom they level their shafts of criticism. Many little oligarchic bands carry on internecine wars almost perennially, within the hive, as Maeterlinck might say.

The chosen leaders in the most democratic European organizations are entrusted with almost unlimited power in naming officers to fill vacancies by appointment. They thus elect many colleagues and subordinates. In the French General Federation the powers of the chief secretary are dangerously near those of an autocrat, but this word does not alarm the masses. It has been explained to them that an autocracy is not necessarily a thing of evil, since the autocrat is one who *rules with undisputed sway or absolute power*, but who may be removed by those who gave him his power whenever the masses revolt. In many business organizations the managers have autocratic powers, being held responsible only for results.

Not long after Karl Marx had established the great and ill-starred International, with Engels chosen as secretary for four countries (the appointment having been made by the General Council, *not by the democratic masses*) both Marx and Engels were denounced as upstarts

and usurpers, so Marx's "larval monarchy," as Professor Michels calls it, failed. The cause of the failure, however, was not a rebellion by the masses, but a cabal within the oligarchy itself. The rulers were, figuratively speaking, stabbed to death within the confines of their own temple. Marx, founder of the most ambitious democratic plan in all history, *became monarch of Socialism itself*. His career as an autocrat shows how inevitably the power which is in theory that of the multitude, is sure to center itself in the persons of a few, or in the hands of one powerful leader.

Great, enthusiastic, powerful, and unselfish leaders must inevitably become oligarchic rulers, sometimes autocrats. Lassalle aptly said: "It is well recognized by the masses of laborers themselves that if their wills are to be effective they must be forged into a single hammer, and that this hammer *must be wielded by the sinews of one strong hand.*" This, from a great advocate of democracy, gives an accurate view of the limitations of democracy and the inherent need of leadership by the few.

Again and again in the history of organizations and parties it has been shown that the mass is helpless and without organized power until superior men have shown it the way to go. Often the multitude can only cry for a leader or expert whose knowledge or genius exceeds the

average, simply because the will of the multitude is frequently a hopeless blank.

In composite questions the many are powerless until the expert few give the questions of the hour the form of some definite scheme or schemes. Until this stage is reached the judgments of the many are worthless, having nothing to act on. A sort of political incendiaryism often kindles the multitude by loose and popular rhetoric, shallow catch phrases, and even demagogic pretenses. Agitators often strive to convince the crowd that it is suffering from ills which the agitator professes he can cure.

Returning to the failures of democracy (without oligarchy as its balance wheel and leader) it may be said that history furnishes many concrete illustrations of failure. Robert Owen attempted to establish a purely democratic community in the United States, his project having long ago taken its place in history as unique. He insisted, as a democrat of democrats, on divesting himself of every shred of power not shared equally by every other member of his colony.

Left to themselves, the colonists soon faced ruin, so they implored him to rescue them by becoming an absolute dictator with complete autocratic powers. With great reluctance he took charge of affairs, as requested. As soon as everything was running smoothly and success-

fully, he promptly resigned, first giving careful directions to his associates. Failure again threatened the venture, so he was again implored and forced by circumstances to take control, as before. When affairs again mended under his leadership, he quit his post, the experience having taught all that success by a mass movement, divested of oligarchic leadership, was an impossibility.

Proudhon, co-founder of Anarchism with Josiah Warren, its American founder and a descendant of the famous General Warren of Bunker Hill fame, maintained that experience proves that as the masses depute the power latent in them to leaders, these *leaders are forced to assume power to make the will prevail*. It is for this reason that the most energetic section, always a minority, works out plans and schemes of its own. Thus, even the most famous leaders of democracy and revolution, those who cry "the will of the people!" have come to realize that leaders are required to shape the destinies of the mass, and to understand that the intelligent members of the multitude see the hopelessness of any movement which attempts to succeed without the select few in charge. The old New England idea of selectmen or elders at the town meetings was founded on a deep principle of human nature.

Even in the example of those sectional and eclectic parties which have the realization of democracy ever before them as their conscious and primary object, every attempt at democratic action with regard to complex questions is sure to culminate in the establishing of a more or less numerous oligarchy.

Proudhon, one of the revolutionary founders of modern Anarchism, emphasized the fact herein stated. He maintained that as soon as any masses depute the power latent in their mere numbers to leaders, these leaders must, to be effective, consolidate power in their own persons. He wrote the following prophetic words: "All power, issuing from the people, *ends by raising itself above the people.*"

Professor Michels says the more serious democratic thinkers of Europe still insist that government must be for the people, *but not by the people themselves.* If democracy is to become effective, they say, the word must be taken as including *the authority of leaders* as part of the democratic plan. He quotes one prominent officer and thinker of a large organization, a man of intensely democratic aims and ideals, as saying that a measure of *oligarchy bordering on despotism is inevitable in the successful working out of democratic principles.* This may be an evil, but it is held to be a necessary one. Michels quotes

a leader of the English Labor Party (name not given) as saying: "The leader must have a scheme of his own to which he works, and he must have the power to make his will prevail."

Bernstein is quoted as saying: "Apart from his leaders, the average man has no political competence." In other words, everything of importance must devolve on the leaders, and it is now proposed, says Michels (1917), that English labor affairs *shall be conducted by a cabinet of three members.*

The conclusion is clear that the theory of pure democracy has been discarded by the greatest European democrats, simply because the masses, as units of equal influence, can not govern any complex organization or society. A power above the multitude is a vital necessity. From what source should this power be derived in a society or state based on ideals of justice and equality? It is clear that rulers must not come through heredity, nor should a free people tolerate government by military force.

Then if the masses are inherently incompetent to conduct the government of a complex organization, be it a union, a state, or a nation, in what sense are they competent to choose qualified leaders?

The answer of experience shows that whenever

a revolutionary party increases its membership so that it becomes powerful enough to rule by weight of numbers, it at once divides into two well-marked sections—the indifferent majority, absorbed in its own affairs, which becomes an inert mass except during periods of excitement and parades, or while passing campaigns and waves of enthusiasm are in evidence; and the keen, active minority, sometimes very small, very sincere, perhaps, or intensely efficient in planning and leadership. This minority inevitably develops a coterie or a leader. The seat of actual government is with that leadership, though it may remain more or less responsive to the will of the active minority—and the minority may, in turn, respond more or less to a public opinion which *it either sincerely or cunningly molds to its purposes.*

Professor Michels has proved that the apathy of the majority, at first viewed with alarm by democratic leaders, is now generally deemed favorable to the cause, especially if the cause be revolutionary and progressive. Why? Because the masses have always been conservative, for which reason their indifference gives the daring few their uncontested opportunity, opposition being eliminated by indifference. Such, too, is the view of the General Federation of Labor

in France, as it was that of Bakunin, who thought the masses should not be permitted to vote respecting revolutionary programs!

Labriola, the Italian revolutionary leader and champion of Syndicalism, observed that the sword of Brennus should never be trusted to the conservative and slothful multitude. Brennus let the Gauls look while he threw his sword on the scales and watched the foe weigh the gold. The leader, said Labriola, must have freedom of action. He added: "True democracy is the *concentrating of power in an elite* who can best judge of the interaction of social cause and effect." Here again we have a clear and rather temperate statement of the working conception of democracy, as that conception is understood and employed by modern revolutionary leaders. In other words, the active and qualified, or at least assertive minority, is practically the real Demos (people) in any reasonable sense of the word, as applied to modern governments. The Demos must be easily led and susceptible to the suggestion of leaders, in fact trained to follow them, even if it be true that this Demos is the bulwark, the Praetorian Guard on which the authority of leadership rests. The thorough organization of the multitude, as in the American Federation of Labor, for example, gives the leaders both freedom and power. Unless the

democratic mass is trained and under leash it becomes a confused aggregation of little more dignity than a mob.

As will be shown presently by a quotation from Sprading, the multitude, unless trained to obey, is likely at all times to stand in the way of all new plans and ideas.

Pure democracy is always and primarily a government by a relatively small minority—never the whole people, except in small, crude communities, as heretofore shown. The most energetic section finally nucleates into a select fraction of the minority. Thus we are ruled by two oligarchies—the minority and its official faction of leaders, “working schemes of their own,” whether to regulate men’s bibulous habits, or to extend the franchise to women, *and the real leader* or ultimate cabinet or committee which is in supreme command. These two oligarchies practically rule unions, clubs, states, and nations.

CHAPTER VI

THE MASSES FOLLOW LEADERS

It has been shown that approximately eighty per cent. of a given population—and the estimates have been made with care—inevitably submit to these two oligarchies, the one within the

other, with whatever grace they may be able to command. The oligarchy may hire writers and speakers to pacify the multitude and smooth over the rough places in all cases where the work of the top coterie may harass fractions of the mass.

Thus there can be no doubt that pure democracy, as the word is often loosely employed, is repudiated by its greatest disciples and leaders. The formula, "equal influence for every man in virtue of his manhood alone," and the "one man, one vote" theory, are seen to be myths. The people as an aggregation of equal units possess no common and effective will, and this fact is displayed throughout human history. To-day more than ever is it true that no democratic will can possibly exist independently of oligarchic direction.

The theory of modern leaders coincides with this statement, because the experience of those revolutionary parties which aim at realizing democracy to the extremest degree, has compelled them to recognize that in all complex government the oligarchic element is indispensable. From the quietest leader of a peaceful federation of workingmen, all the way to Lenine and his compeers, the rule is daily demonstrated that *the masses need a governor*.

Since professional revolutionaries, whose cry is ever "the will of the people!" have been obliged

to discard pure democracy, and since they have discovered from long experience that the people, except in the simplest questions, have no will except that which may be formed through the thinking, planning, and guiding action of the "remnant," or oligarchy, then by the stronger reason the oligarchy must solve the complex problems of modern governments.

Much as democrats may dislike to admit the truth, the fact remains that Sprading is correct in his statement in *Liberty and the Libertarians*, as follows, in substance:

Reasonable action on the part of the thoughtless majority is comparatively rare, while the evidence of mob stupidity is overwhelming. The majority in power make laws for their own benefit, frequently disregarding the interests of the minority. Does it not seem a vast waste of valuable human material, he asks, that the pioneers of human thought, those who by their genius dare to clear unknown paths in the arts and sciences and in government, should have to conform to the dictates of that non-creative, slow-moving mass, the majority? An appeal to the majority is a resort to force (of numbers) and not an appeal to intelligence—and by increasing the majority we simply multiply the ignorant units. The majority, being incapable of initiative, assumes an attitude of opposition to every-

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thing new or unusual. If it had been left to the majority, the world would never have had the steamboat, the railroad, the telegraph, or any of the conveniences of modern life. The majority has almost invariably decided against the very things which have proved themselves most useful to society.

Every advance of civilization—in the arts, in language, in science, in invention and discovery—has been achieved, not because of the wish or will of the majority, but by the constant work and urgent demands of the few.

Herbert L. Mencken concludes (in his *Life of Nietzsche*) that the “natural tendency of the herd” is to fall a victim of credulity, for which reason, power should not be put in the hands of the great, inert mass, which is necessarily and inevitably ignorant, credulous, superstitious, possibly corrupt and wrong. While this indictment is doubtless too severe, if applied to modern intelligent states, there is much truth in its implications.

Matthew Arnold’s *Numbers; or the Majority and the Remnant*, which is well worth careful study, quotes ancient Greek philosophers as saying that the majority are bad, hopelessly wrong in questions that require careful analysis. He shows that the Bible’s, “Many are called, few are chosen” should give us the right perspective.

Speaking of cultured Athens, Plato said of the greatest democracy of all time, that there was but a remnant of honest followers of wisdom in the great city. Taking the old phrase "the madness of the multitude," which is found in deep antiquity, he drew a gloomy picture of democratic Athens. Likewise Isaiah shows that the majority in the great Hebrew state were hopelessly unsound. Yet both Judah and Athens contained the most remarkable and exceptional populations of all time. The burden of Arnold's great address is that the remnant, or minority, on the right side is always small—always has been small.

Mencken carries the Arnold thesis even further, maintaining at some length that the natural incompetence of the masses as an established fact of history was observed by hundreds of philosophers long before Nietzsche proclaimed his super-man. It is not necessary to go the Nietzschean road, however, in order to find fresh proofs of the incompetency of the multitude, for these proofs are spread copiously before the world every day. On the statute books of almost every state where direct legislation has been introduced, or where the representatives of the masses have been quickly responsive to the public will, there are so many laws plainly opposed to common-sense and to a sense of justice and fair-

dealing, that the situation bears an air of almost pathetic humor, as Mencken concludes.

The possibility of holding the multitude in proper check by modern leadership is the hope of the world. In the Australian Commonwealth the mob-spirit burdened the statutes with so many "freak laws" as seriously to interfere with the development of the country's resources.

He concludes that all sanity and all growth must occur at the top. The strong must grow stronger, and in order that they may do so, they must not waste energy following the notions of the ill-trained masses, the helpless and the weak. He adds: "In America President Roosevelt forced his control on a reluctant proletariat, and even enlisted it under his banner in his advocacy of centralization."

Returning from these digressions to the question of the public will, whether it may be right or wrong, it should be borne in mind that there may be what we term *a general wish when there is not a general will*, a wish being a desire for something either possible or impossible, as in a wish that one had spent his last ten years differently; but a will is always a desire for something within the range of possibility, or which the person desiring believes he may realize by the use of specific means.

It requires a high order of talent for any man

to present his own conception of the welfare he hopes for, in terms intelligible to others. The task of inducing millions of men to unify their wills on governmental plans, and concentrate their various conceptions of desires into a definite, practical plan, is a task of statesmanship—and yet that is what some of the advocates of pure democracy loosely deem the multitude may do.

When plans or schemes of government have been reduced to a formula, and when a multitude of vague wishes have at last been translated from their vague and ineffectual form and concentrated into a single set of specific conditions, so as to constitute a cumulative and effective will, then, *but not until this masterful oligarchic task of the select few has been efficiently accomplished*, can the masses even think of passing on the problems involved.

For the reason that the business of dealing actively and effectively with political problems is laborious, requiring also talents and knowledge of specific and unusual kinds, that business tends to pass into the hands of an energetic and efficient minority, a small coterie that finally constitutes an oligarchic nebula. From this nebular oligarchy, smaller oligarchies develop or nucleate themselves, until at last a small group becomes the actual power.

The persistence of this oligarchic action is due

to the permanent facts of human nature and to the inevitable complexity of civilized societies and their problems of government. So long as unusual intellect, exceptional knowledge, sagacity, and strength of character exist, it follows that an oligarchic leadership of the few over the many is a necessity. The Cæsars, Washingtons, Napoléons, and Lincolns must not be limited to their own bedrooms or bailiwicks. The paralysis of oligarchy would be the paralysis of talent, the death of genius.

This oligarchic leadership leaves democracy untouched in the region of simple, fundamental questions. With regard to the complex questions of modern civilized governments, oligarchy provides *the only means by which it is possible for the principle of democracy to express itself in definite form and do its great work in the world.*

It may be well to agree here that Edwin G. Conklin is correct in his statement (*Biology and Democracy*) that majority rule would level society to general mediocrity, were it not for the instinct of the people to follow their leaders. For this reason unscrupulous minorities may exercise tyrannies over the mass in spite of its force of numbers. The masses will continue, however, to demand and insist on equality before the law, which means equal justice for all; freedom to find

one's place and work in society; and measurement of men in the main by their merits.

The practical meaning of applied democracy, working in conjunction with its inevitable oligarchic concomitant, is simply this—that in certain countries the democratic principle *has sway within certain limits*, and that it is provided with recognized and legal means of expression, means such as are not present in certain monarchies and absolute governments, where the masses have no recognition worth while, no recognized right of either expressing or enforcing their desires. But whenever the word democracy is loosely used so as to convey the notion that in government, and in human affairs in general, *popular power is supreme, under the spontaneous impulse of an aggregate of equal units*, and that it ought to be supreme in the way indicated, the result is misleading. The power which this use of the word imputes to the masses does not exist.

The formula of pure democracy has, for purposes of agitation, the great advantage of being simple and easily reduced to a few telling words and attractive phrases; but in proportion to its simplicity it is false, and its effects are fatal; for the necessary elements of civilization are not simple, but complex. The truth lies in the statement that democracy and oligarchy are not terms

mutually exclusive, but in any great complex organization, state, or nation the one is the complement of the other. Democracy can never be able to know itself except through the co-operation of oligarchy. This is the only way known by which the masses may benefit from the genius of the super-capable few—the heroes of history, the masters of statesmanship, the forerunners and pioneers in every worthy field of human action.

THE END

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